Lables and Gentlemen: Owing to the unavoidable absence of our President, Mr. Greeley, it devolves upon me to introduce the speaker of the evening. The decided success of our course last Winter induces the trustees to pursue the plan of introducing science in her most attractive such. Last year the lectures were devoted to a description of philosophical instruments. This year the majority of the lectures will have a direct learning on the physical well being of man. In addition to these, one of the lectures will be devoted to a description of the earth's crust, while the other will be in regard to the subject which is now attracting a great deal of attention, namely, "The Constitution of the Sun."

I have now the pleasure of introducing Mr. A. D. White, President of Cornell University.

Prof. White, on coming forward, was received with an-

Prof. White, on coming forward, was received with ap-

se. He spoke as follows: LADIES AND GENTLEMEN: In view of the fact that my indies have been rather in History than in Natural peace, it has seemed to me not unfit that I begin this ries of lectures with a historical sketch bearing upon subject of your course. II purpose, then, to ent to you this evening an outline of the great sacred ruggle for the liberty of Science-a struggle which has g ou for so many centuries. A tough contest en! A war continued longer-with battles lercer, with sleges more persistent, with strategy more gorous than in any of the comparatively petty warfares lexander, or Casar, or Napoleon. I shall ask you to go with me through some of these most-determined ieges, and over some of the hardest-fought battle-fields of this great war. We will look well at the combatantswe will listen to the battle-cries, we will note the strategy of leaders, the cut and thrust of champions, the weight of missiles, the temper of weapons.

My subject, then, shall be "THE WARFARE OF

My Thesis-which, by a historical study of this war fare I expect to develop, is the following: In all modern history, interference with Science in the supposed interest of religion-no matter how conscientious such interference may have been-has resulted in the direct evils both to Religion and Science, and invariably. And on the other hand all untrammeled scientific investigation, the other hand all untrammeled scientific investigation, no matter how dangerous to religion some of its stages may have seemed, temporarily, to be, mas invariably resulted in the highest good of Religion and Science. I say invariably—I mean exactly that. Indicate the which history shows not one exception. It would seem, logically, that this statement could not be gaineaid. God's trath must agree, whether discovered by looking within upon the soul or without upon the world. A truth written upon the human heart to-day in 1:s full play of emotions or passions, cannot be at any real variance even with a truth written upon a fossil whose poor life was gone millions of years ago. And this being so, it would also seem a truth irrefragable; that the search for each of these kinds of truth must be followed out in its own lines by its own methods, to its own results, without any interference from investigators along other lines by other methods. And it would also seem logically that we might work on in absolute confidence that whatever, at any moment, might seem to be the relative positions of the two different bands of workers, they must at last come together: for Truth is one. But Logic is not History. History is full of interferences which have cost the earth dear. Strangest of all, some of the most direful of them have been made by the best of men, actuated by the purest motives, seeking the noblest results. These interferences and the struggle against them make up the warfare of science. One statement more to clear the ground. You will not understand me at all to say that religion has done nothing for science. It has done much for it. The work of Christianity has been mighty indeed. Through these 2,000 years it has undermined servitude, mitigated tyranny, given hope to the hopeless, confort to the afflicted, light to the blind, bread to the starving, life to the dying, and all this work continues. And its work for science, too, has been great. It has fostered science often and developed it. It has given great minds no matter how dangerous to religion some of its stages

COSMOGRAPHY. The first typical battle-field to which I call attention is that of Cosmography, the simplest elementary doetrine of the earth's shape, surface, and relations. Bear with me as I go over a field so well known to so many of you. We cannot overlook it if we are to understand other battles which follow. Among the legacies of thought left by the ancient world to the modern were certain ideas of the rotundity of the earth. These lideas were vague; they were mixed with absurdities, but they were ideas, and, after the barbarian storm which ushered in the modern world had begun to olear away, these germ ideas began to out and bloom in the minds of a few thinking men, and these men hazarded the suggestion that the earth is bound—is a globe. The greatest and most carnest men nd—is a globe. The greatest and most carnest men is earth took fright at once. To them, the idea of the h's roundity seemed fraught with dangers to Scripter, by which, of course, they meant their interpretation cripture. Among the first attempts made was that of chius. He endeavored to turn off these ideas by ging seience into contempt. He endeavored to make immovators understand that he and the Fathers of the contempt required and such incouries. Speaking Charca generally despised all subs of through ignorance of the things admired by them, but through ignorance of their useless labor that we think little of these mattersturning our souls to the exercise of better thines." Lactualities asserted the new ideas to be "empty and false." But this attempt to "fann" the little phalanx of thinkers und Eusebius cannot poeh-pooh down a great new acientifie idea. The little band of thinkers went on, and the doctrine of the rotundity of the earth is surface, and another old germ idea was warmed into hier-the idea of the consideration of the tenants of the earth's surface, and another old germ idea was warmed into hier-the idea of the tenants of the earth's surface, and another old germ idea was warmed into hier-the idea of the tenants of the earth is surface, and another old germ idea was warmed into hier-the idea of the tenants of the earth is be round, and another old germ idea was warmed had now the dearwing the surface of the control of the

bing conception of the world and a far fruer conception and more devout relance upon Him who made and anstained it. Which is the more consistent with a great, true religion, the cosmography of Cosmas or that of Isaac Nowton ?

ASTRONOMY. The next great battles to which I ask your affention were fought on a question relating to the position of the earth among the hearenly bodies. The struggle regarding geography, which I have already presented, was entangled with this. Often on the same field the battle was fought for both; but I separate them that we may see each more clearly. On one side the

great body of conscientious religious men planted themselves firmly on the Geocentric doctrine—the doctrine that the earth is the center and that the sun and planets selves firmly on the Geocentric doctrine—the doctrine that the earth is the center and that the sun and planets revolve about it. The doctrine was old and of the highest respectability. The very name, Prolemaic theory, carried weight, It had been claborated until it accounted well for the phenomena. Exact textual interpreters of Scripture cherished it for it agreed with what they supposed the reading of sacred text. Still the germs of the Heliocentric theory had been planted long before, and well planted; it had seemed ready even to bloom forth in the mind of Cardinal de Cusa, but the chill of dogmatism was still over the earth, and up to the beginning of the sixteenth century there had come to this great truth neither bloom nor fruitage. Quetly, however, the soil was receiving enrichment and the air warmth. The processes of mathematics were constantly improved, the heavenly bodies were steadily though silently observed, and at length appeared—afar off from the centers of thought, on the borders of Poland—a plain, simple-minded scholar, who first fairly uttered to the world the truth now so commonplace—then so astounding—that the sun and planets do not revolve about the sun, and that man was Nicelas Kopernik. Kopernik had been a professor at Rome, but as this trath grew within him he seemed to feel that at Rome he was no longer sife. Returning to his own country he found it wretchedly inhuspitable; but he thought on, and that great central truth of Astronomy developed in his mind ever more and more. To publish it was dangerous indeed, and for thirty-six years it lay sumbering in the minds of Kopernik and the friends to whom he had privately intrusted it. At last, he prepares his great work on the Revolution of the Heavenly Bodies, and dedicates it to the Pope himself. The work was intrusted to the scholar Osaander of Nuremberg to superintend it of publication. But, at the last moment, the

ns on his pursuers and writes fearful satires on nurch. For this he is imprisoned six years, then d alive, and then his ashes are scattered to the

burned alive, and then his asses are scattered to the winds.
But the new truth lived. It would not be stifled. Within ten years after the execution of Bruno the truth of the doctrine of Kopernik was established by the telescope of Galileo. Herein was fulfilled one of the most touching of prophecies. Years before, the enemies of Kopernik had said to him, "If your doctrine were true, Venus would show phases like the Moon." Kopernik answered, "You are right; I know not what to say, but God is good, and will in time flud an answer to this objection." The God-given answer came when the rude telescope of Galileo showed the phases of Venus. On this new champion, Galileo, the attack was tremendous. The supporters of what was called "sound learning" declared his discoveries deceptions and his announcements blasphemy. Semi-scientific professors attacked him with sham science; earnest preachers attacked him with perverted Scripture.

Atheist and institute the supporters.

ATHEIST AND INFIDEL. The principal weapons in the combat are worth examining. They are very easily examined; you may pick them up on any of the battle-fields of Science; but on that field they were used with more effect than on almost any other. These weapons were two epithets—the epithets "Infidei" and "Athelst." These can hardly be classed with civilized weapons; they are burning arrows; they set fire to great masses of popular prejudices. Smoke rises set fire to great masses of popular prejudices. Smoke rises to obscure the real questions. Fire bursts out at times to destroy the attacked party. They are poisoned weapons. They go to the heart of loving women: they alien at dear children; they injure the man after life is ended, for they leave poisoned wounds in the hearts of those who loved him best—lears for his exernal happiness, dread of the Divine displeasure. The battle-fields of Science are thickly strewn with these. They have been used against almost every man who has ever done anything for his fellow-men. The list of those who have been denounced as Infidel and Atheast includes almost all great men of Science—general scholars, inventors, philanthropists. The deepest Caristian life, the most no ble Christians like Isaac Newton and Pascal, and Jona Locke and John Howard, have had these weapons hurled against them. Nay, in these very times we have seen a noted champion hurl these weapons against John Milton, and with it another missile which often appears on these battle-fields—the crithets of "blasphemer" and "hater of the Lord." Of course, in these days these weapons, though often effective in disturbing the case of good men, and, though often powerful in scaring women, are somewhat blunted. Indeed, they not infrequently injure assailants more than assailed. So it was not in the days of Galleo. These weapons were then in all their sharpness and venom. The first champion who appears against him is Bellarmine, one of the greatest of theologians and one of the poorest of scientists. He was carnest, sincere, learned, but made the fearful mistake for the world of applying direct interal interpretation of Scripture to science. The consequences were sad, indeed. Could he with his vast powers have taken a different course. Humanity would have been spaired the long and fearful war which ensued, and Religion would have saved to here in fitter ages. The weapons, which must result to Christian theology were the doctrine to prevail that the heavelly bodies revolve

SCIENCE AND THE BIBLE.

Their most tremendous theologic engine against Galile was the idea that his pretended discovery vitlated the whole Christian plan of salvation. Father Le Gazre declared that it east suspicion on the doctrine of the Incarnation; others declared that it upset the whole basis of theology; that if the earth is a planet, and only one among several planets, it cannot be that any such great things have been done especially for it, as the Christian doctrine nothing in vain—they must be inhabited, but how can these inhabitants be descended from Adam; how can they have been inhabitants be descended from Adam; how can they have been redeemed by the Savior? In addition to this prodigious engine of war, there was kept up a terrific fire of smaller artillery in the shape of texts and Scriptural extracts. Some samples of these weapous may interest you. When Gailleo had discovered the four satellites of Jupiter, it was denounced as impossible and implous. It was argued that the Bible clearly showed by all applicable types that there could be only seven planets; that this was proved by the seven goldden candle-sticks of the Tabermacle, and by the seven branched candle-stick of the Tabermacle, and by the seven churches of Asia. In a letter to his friend Remicri, Galileo gives a sketch of some of the dealings of the inquisition with him. He says "the Father Commissary Lancio was zealous to have me make amends for the scandal I had caused in sustaining the idea of the movement of the earth. To all my mathematical and other reasons he responded nothing but the words of Scripture. Terra autem in xeteraum stabit." It was declared that the doctrine was proved false by the standing still of the sun for Joshua; by the declarations that "the foundations of the earth are fixed so firmly that they cannot be moved," and that the sun "runneth about from one end of heaven to the other." The Dominican Father Cattlemi preached a scrnon from the text: "Ye men of Galilee, why stand ye gazing up into heaven," and this wretched pun was the beginning of a series of shapper weapons. For the final assault, the park of heavy artillery was at last wheeled into place. You see it on all the scientific battle fields. It consists of general denunciation, and Father Melchior Inchofer of the Jesuits brought his artillery to bear well on Galileo with the declaration, that the opinion of the earth is thrice sacred. That argument against the immortality of the soul, the creation, the incarnation, &c. should teaches. If there are other planets-since God makes nothing in vain-they must be inhabited, but how can these nhabitants be descended from Adam; how can they trac

curse, and detest the error and heresy of the movement of the earth." He was vanquished indeed, for he had been forced, in the fase of all coming ages, to perjure himself. His books were condemned; his friends not allowed to erect a monument over his bones, to all appearance his work was overthrown.

POSITION OF THE CHURCH—DESCARTES AND KEPLER.

Do not indeed and in hore, as conting, blame on

THE AMERICAN INSTITUTE.

FIRST OF THE COURSE OF SCIENTIFIC LECTURES
—PROF. WHIFE ON "THE BATTLE-FIELDS OF SCIENCE."

The first of the Winter course of scientific lectures before the American Institute was delivered has evening, at the hall of the Cooper Union, by Prof. Andrew D. White, President of Cornell University, the subject being "The Battle-Fields of Science." The lectures was introduced by Prof. S. D. Tillman, Secretary of the Institute, who said:

Ladies and Gentlement: Owing to the unavoidable absence of our President, "The Geoley, it devolves upon me to introduced be speaker of the evening. The decided success of our course last Winter induces the trustees it opinions the speaker of the very support of the trustees in produce the speaker of the very support of the course of the evening. The decided success of our course last Winter induces the trustees it opinions the plant of introduced its speaker of the very support of the course in the course of the very support of of the very supp part of it. Were there time, I would refer at length to some of the modern mystifications of the history of Galileo. One of the latest seems to have for its groundwork the theory that Galileo was condeconed for a breach of good taste and etiquette. But those who make this defense make the matter infinitely worse for those who committed this great wrong. They deprive it of its offly palliation—mistaken conscientionshess.

And then Kepler comes. He leads seience on to greater victories. He throws out the minor strors of Kopernik. He thinks and speaks as one inspired. His battle is severe—Protestaut in Styrir and at Tiblingen, Catholics at Rome press upon him, but Newton, Huyghens and the other great leaders follow, and to Seience remains the victory. And yet the war did not wholly end. Toward the end of the seventeenth century even Bossnet—the Eagle of Meanx—most sublime of relicious thuskers, declared for the Ptolemaic theory as the Scriptural theory, and in 1746 of Meaux—most subline of relicions thukers, declared for the Prolemaic theory as the Scriptural theory, and an Irde Boscovitch, the great mathematician of the Jesuits, used these words: "As for me, full of respect for the Holy Scriptures and the decree of the Holy inpublifun, I re-gard the earth as immovable. Nevertheless, for sim-plicity in explanation, I will argue as if the earth moves, for it is proved that in the two hypotheses the appear-ances favor that idea." Nor has the opposition failed the state of the state of May, 1829, a great even in our own time. On the 5th of May, 1829, a multitude assembled at Thorn to commemorate the anniversary of Kopernik and to unvail waldsden's statue of him.

APOTHEOSIS OF KOPERNIK. Kopernik had lived a pious, Christian life. He was well known for unostentatious Christian char-ity. With his religious belief no fault had ever been found; he was a Canon of the church of Frauenburg, and over his grave had been written the most touching of Christian epitaphs. Naturally, then, the people expected a religious service. All was underthe people expected a religious service. All was understood to be arranged for it. The procession marched to
the church and waited, the hour passed, no priest appeared, none could be induced to appear. Kopernik,
simple, charitable, pious, one of the noblest gifts of God
to the service of Religion as well as Science, was still
held to be a reprobate. Seven years after that
his book was still standing on the index of
books prohibited to Christians. Nor was this feeling
confined merely to the more ancient church. Perhaps
the most striking outcropping of the old feeling was seen
in 1898 at Berlin. A large body of Protestants had assembled to protest against what they deemed dangurous
science. In their midst stood up a elergyman of note, and
declared against the Copernican theory as unscriptural. eclared against the Copernican theory as unscriptural

SOME OF THE RESULTS. And now, what was won by either party in this long and terrible wart. The party which would subordinate the methods and aims of science to those of theology, though in general obedient to deep convictions, had given to Christianity a series of the worst blows it had ever received. They had made large numbers of the best men ceived. They had made large numbers of the best men in Europe hate it. Why did Ricetto, and Bruno, and Vanini, when the crucifix was presented to them in their hour of martyrdom, turn from that blessed image with loathing? Simply because Christianity had been made to them identical with the most horrible oppression of the mind. Worse than that, these well-meaning defenders of the faith had wrought into the very fiber of the European heart that most unfortunate of all ideas—the idea that there is a necessary antagonism between science and religion. Like the landsman who lashes himself to the anchor of the sinking ship, in the sight of all men, by the strongest cords of logic which they could spin, they had to these mistaken ideas in science, and the advance of knowledge had enguiphed them. On the other hand, what had science done for religion! Simply this: Kopernik, escaping persecution only by death; Jordano Bruno burned alive as a monster of implety; Galileo tortured and humiliated as the worst of misbelievers; Kepler hunted alike by Protestants and Catholics, had given to religion great new foundations, great new ennobling conceptions, a great new revelation of the might of God. Under the old system we have that princely astronomer, Alphonso of Casille, seeing the poverty of the Ptolemale system, yet knowing no other, startling Europe with the blasphemy, that if he had been present at creation he could have suggested a better order of the heavenly bodies. Under the new system you have Kepler, filled with a religious spirit, exclaiming, "I do think the thoughts of God." The difference in religious spirit between these two men marks the conquest gained in this war by Science for Religion.

The next great series of battles to which I would turn with you were fought on those great fields occupied by such sciences as Chemistry and Natural Philosophy. Even before these sciences were out of their childhood—while yet they were lottering mainly toward childish objects and by childish steps—the champions of that same old mistaken conception of rigid Scriptural interpretation began the war. The catalogue of chemists and physicists persecuted or thwarted would fill volumes.

OTHER BATTLE FIELDS. There are many other battle-fields of Science for which we have no time. Interesting would it be to look over the field of Meteorology, beginning with the Conception supposed to be scriptural, of angels opening and shutting the windows of heaven, and letting out the waters above the firmament upon the earth, continuing through the battle of Fromundus and Bodin, down to the onslaught upon Lecky in our own time, for drawing a logical and purely scientific conclusion from the doc-trine that Meteorology is obedient to laws.

ANATOMY AND MEDICINE. they have had to stand in the thickest of the battle. As far back as the latter part of the thirteenth century Arnold de Villa Nova was a noted physician and chemist. The missile usual in such cases was huried at him. He was charged with sorcery and dealings with the devil. He was excommunicated and driven from Spain. Such seemed the fate of all men in that field, who gained even a glimmer of new scientific truth. Men even like Cardan, and Paracelsus, and Ports, who pandered to popular superstition, were at once set upon if they ventured on any other than the path which the church thought sound, the insufficient path of Aristotelian investigation. We have seen that the weapons used against the Astronomers were mainly the epithets Infidel and Atheist. We have also seen that the principal missiles against chemists and physicists were the cplinets sorcere and leaguer with the devil, and we have picked up on various battle-fields another effective weapon—the epithet Mahometan. On the heads of the anatomists and physicians were concentrated all these missiles. The charge of atheism ripened into a proverfe: "Ubi sunt tresmedici bi sunt tho athei." (Where you find three physicians, you find two atheists.) Magic seemed so common a charge that many of the physicians seemed to believe it themselves. Mahometanism and Averroism became almost synonymous with Medicine, and Petrarch stigmatized Averroists as men who denied renius and barked at Christ. Not to weary you with the details of carifer stringles, I will select a great benefactor of mankind and champion of scientific truth at the period of the Revival of Learning and the Reformation—Andreas Vesalius, the founder of the modern science of anatomy. The battle waged by this man is one of the glorics of our race. The old methods were soon exhausted by his carly fervor, and he sought to advance science by strictly scientific means, by patient investigation, and by careful recording of results. From the outset Vesalius proved himself a master. In the search for real knowledge he braved the most terrible dangers. Before battle. As far back as the latter part of the thirteenth century Arnold de Villa Nova was a noted physician and human anatomy on its solid modern foundations, on care-ful examination and observation of the human body. This was his first great sin, and it was soon aggravated by one considered even greater.

MISTAKES OF THE CHURCH Perhaps the most unfortunate thing that has ever been done for Christianity is the tying it to forms of science and systems of education which are doomed and gradually sinking. Just as in the time of Roger Bacon excellent but mistaken men de voted all their energies to binding Christianity to Aristotle. Just as in the time of Reuchlin and Erasmus they
insisted on binding Christianity to Thomas Aquinas, so
in the time of Vesalius such men gave all efforts to
linking Christianity to Galen. The cry has been the
same in all ages. It is the same which we hear in this
age against scientific studies—the cry for what is called
"sound learning." Whether standing for Aristotle
against Bacon, or Aquinas against Erasmus, or Galen
against Vesalius, or making mechanical Greek verses at
Eton, instead of studying the handing of the convoted all their energies to binding Christianity to Arisagainst Vesaius, or making mechanical Greek verses at Eton, instead of studying the handwork of the Aimighty, or reading Euripides with translations instead of Lessing and Goethe in the original, the cry always is for "sound learning." The idea always is that these studies are safe.

YESALIUS. At 28 years of age Vesalius gave to the world his great work on Human Anatomy. With it ended the old and began the new. Its researches by their thoroughness formed a triumph of Science, its illustrations by their fidelity formed a triumph of Art. To shield himself as far as possible in the battle which he foresaw must come, Vesalius prefaced the work by a dedication to Empered Vesalius prefaced the work by a dedication to Emperor Charles V. In this dedicatory preface he argues for his method and against the parret repetitions of the old medical text-books. He also condems the wretched anatomical preparations and specimens made by physicians who ulterly refused to advance beyond the ancient master. The parrot-like repeaters of Galen gave battle at once. After the manner of their time their first missiles were epithets, and the almost infinite magazine of these having been exhausted they began to use sharper weapons—weapons theologic. At first the theologic engine did not succeed. A conference of divines having been appeaded to to decide whether dissection of the human body is sacrilege, gave a decision in his favor. The reason was simple. Emperor Charles V. had made Vesalius his physician, and could not spare him. But on the accession of Philip II. of Spain the whole scene changed. That most bitter of bigots must of course detest the great innovator. A new weapon was now forged. Vesalius was charged with dissecting living men—and either from direct persecution as the great majority of authorities assert—or from indirect influences, as the few recent apologists for Philip the II. allow, Vesalius became a wanderer. On a pigriange to the Holy Isand to atone for his sin he is shipwrecked, Charles V. In this dedicatory preface he argues

and in the prime of his life and strength he is jost to this world. And yet not lost. In this century he again stands on earth. That noble painter Hanaun has again given him to the world. By the magic of Hanaun's penell, we look once more into Vesalina's cell. Its windows and deors, boited and barred by himself, betoken the storm of bigotry which raged without. The cruellix, toward which he casts has eye, symbolizes the spirit in which he labored. The corpse of the plague stricken over which he bends ceases to be repulsive. His very soul secuns to send forth rays from the canvas which strengthen us for the good fight in this age. He was hunted to death by men who conscientiously supposed that he was injuring religion. His poor blind foes destroyed one of religion's greatest apostles. What was his influence on religion't He substituted for repetition by rote of worn out theories of dead men, conscientious and reverent, searching into the works of the Living God. He substituted for representations of the human structure, pitiful and unreal, truthful representations, revealing the Creator's power and goodness in every line.

ERRORS IN AMERICA. Warfare of this sort against science seems petty indeed, but it is to be guarded against in Protestant countries not less than Catholic. It breaks out in America not less than in France. I have seen within this last year the most perverted statements of words uttered n the lecture rooms of an American University, circulated by excellent men, who in their cagerness believed them. I have seen phrases used in lectures by Christian Profess-

AGRICULTURB AND POLITICAL ECONOMY. Did time permit we might go over other battlefields no less instructive than these we have We might go over the battle-fields of Agricultural progress, and note how by a most curious perversion of i text of Scripture great masses of the peasand eating potatoes. We might go over the battle-field of Technology, and note how the introductin of railways into France was declared by an earnest churchman an evidence of the Divine displeasure against country inn-keepers whose meat before their guests on fast days. We might pover the battle-fields of Political Economy. antry of Russia were prevented from raising We might a over the battle-fields of Political Economy and note has a too literal interpretation of scriptura text regarding usance wrought fearful injury not only upon the interial interests, but upon the moral charac-

But I shall ask you to only one more of these batle-fields, and I select it because it shows more clearly than any others how Protestant naions, and in our own time, have suffered themselve to be led into the same errors that have wrought ijury to religion and science in other times. We will lok very briefly at the battle-fields of Geology. From theirst lispings of investigators in this science there was ar. The early sound doctrine was that fossil remains the lusus nature—freaks of nature—and in 1517 Fracastorwas violently attacked because he thought them southing more. No less a man than Bernard Palassy followed up the contest, on the right side, in France, but it regired 150 years to carry the day fairly against this singly preposterous theory. The champion who dealt it the deadly blow was Seilla, and his weapons were facts obtased by examination of the fossils of Calabria (1670). By the advecates of tampering with scientific reasoningsoon retired to a new position. It was strong, for it was paparently based on Scripture—though, as the whole wold now knows, an utterly exploded interpretation of Scipture. The new position was that the fossils were produced by the deluge of Noah. In vain had it been shan by such devoted Christians as Bernard Palissy tht this theory was utterly untenable; in vain did goodnen protest against the Injury sure to result to religion a tying it to a scientific theory sure to be exploded—as doctrine that the fossils were remains of animals droined at the Flood continued to be upheld by the great injurity as "sound" doctrine. It took 120 years foshe searchers of God's truth, as revealed in nature—sub men as Buffon, Linneus, Woodward, and Whitehurst—trun under these mighty fabries of error, and, by statelents which could not be resisted, to explode them.

Strain as it may at first seem, the war on geol-We will tok very briefly at the battle-fields of Geology.

them.

Strains as it may at first seem, the war on geology warwaged more flercely in Protestant countries than Caholic, and of all countries England furnished the most bitter opponents. You have noted already that there as generally two sorts of attacks on a new science. First, here is the attack by pitting against science some great detrine in theology. You saw this in astronomy, when leliarmine and others insisted that the doctrine of the cath's revolving about the sun is contrary to the doctrine of the Incarnation. So now against geology it was need that the scientific doctrine that the fossils represented animals which died before Adam was contrary to the doctrine of Adam's fall, and that death entered the world by sin. Then there is the attack by the literalinterpretation of texts, which serves a better purpose fenerally in rousing prejudice. It is difficult to realize it now, but within the memory of the majority of those before me, the battle was raging most flercely in England, and both these kinds of artillery were in full play and filling the civilized world with their roar. Less than thirty years ago, the Rev. J. Mellor Brown was than thry years ago, the Rev. J. Mellor Brown was therefore the servers and Pre-Swell and such religious scholars as Professor. than thrty years ago, the Kev. J. Menor brown was harling at all geologists alike, and especially at such Christals divines as Dr. Buckland, Dean Conybeare, and Pye Smith, and such religious scholars as Professor Sedgwick, the epithets of "Infidel," "Impugner of the Sacred Secord," and "Assailant of the Volump of God." His fa orite weapon Was the charge that these men were, 'ttacking the Truth of God," forgetting that they were simply opposing the mistaken interpretations of J. Mellor Brown. He declared geology "nor a subject of lawful inquiry;" he speaks of it as "a lark art," as "dangerous and disreputable," as a "forbi den province." This attempt to scare men from the science having falled, various other means were taken.

But I pass to fields of more immediate importance to us—those of Anatomy and Medicine. It might be supposed that the votaries of Sciences like these would Edward Hitchcock. But it is a duly and a pleasure to Edward flitchcock. But it is a duly and a pleasure to state her that one great Christian scholar did honor to religionand to himself by standing up for the claims of science teapite all these clamors. That man was Nicholas Wiseman, better known afterward as Cardinal Wiseman. The conduct of this pillar of the Roman Catholic Church contrass nobly with that of thind Protestants who were filling Fagland with shrieks and denunciations. Perhaps the medsingolar attempt against geology was that made by a finespecimen of the English Don, Dean Cockburn of York, tonbuse its champions out of the field. Without apparently the simplest elementary knowledge of geology, he quened a battery of abuse. He gives it to the world at large by pulpit and press; he even inflicts it upon leading statesmen by private letters. But these weapon told not succeed. They were like Chinese gongs and dry fool lanterns sagainst rified cannon. Buckland, Pye Sm Jt, Lyell, Silliman, Hitchcock, Murchison, Agassix, Das 4 and a host of noble champions besides, pressed on the battle for truth was won. And was it won merely at men of science! The whole civilized world declars: hat it was won for religion; that thereby was infinite y increased the knowledge of the power and goodness of God.

FEARS ABOUT RELIGION.

FEARS ABOUT RELIGION.

And new, in concluding, I might allude to another battle-i ed in our own land and time. I might show how an attempt to meet the great want of this state for an institution providing scientific and modern instruction has been met with loud outcrees from many excelled men who fear injury thereby to religion. I might it ture to you the strategy which has been used to keep as seat young mendrom an institution which, it is declare a cannot be Christian because it is not sectarian. I might lay before you wonderful lines of argument which move been made to show the dangerous tendencies of a sin which gives to scientific studies the same sight as classical studies, and which lays no less tress on modern history and literature than on an sit history and literature. I might show how it has be denounced from many pulpits, and in many sectar 1 journals, how the most preposterous charges have an imade and believed by good men, how the epithets i "godless," "infidel," "irreligion," "unreligion "athelstic," have been hurled against a body of Chris a Trustees and Professors carnestly devoted to build it ap Christian civilization. I might show how, as the bad has waxed hotter, the honored founder of the institution, a man who has devoted the built of his fortune at a his efforts to building up such an institution at the site heeds, and whose life has been one of the purest is noblest on American records, how this man has be a charged with "awinding the colleges of the Sina" "self-seeking," "corruption," "seeking to creet a nonument to himself." might 1 sture to you the strategy which has been used to CHEERFUL OMENS.

But, if friends, I will not weary you with so recent a dispter in the history of the great warfare extends a through the centuries. There are cheering omes. The greatest and best men in the churches the 13n standing at centers of thought-are insisting eth power, more and more, that religion shall no onger be tied to so injurious a policy-that shall no onger be tied to so injurious a policy—that searche i for truth, whether in Theology or Natural Science, tall work on as friends, sure that, no matter how must at variance they may at times seem to be, the truths to reach shall finally be fused into each other. No one is dear the result. No matter whether Science shall cot a lete her demonstration that man has been on the earliest thousand years or six hundred thousand. No matter whether she reveal new ideas of the Creater or starting relations between his creatures—the result, when fully thought out, will serve and strengthen religion not less than science. The very fluger of the Almight has written on history that science must be studied by means proper to itself, and in no other way. That history is before as all. No one can gainsay it. It is decade, for it is this: There has never been a scientific theory fauned from the use of Scriptural texts, which has been made to stand. This fact alone shows that our wonderful volume of sacred literature was not given for any such purpose as that to which so many carness men have endeavored to wreat it. The power of that volume has been mighty indeed. It has inspired the best doeds our world has known Despite the crusts which men have formed about it—despite the lesses of science, then, be changed. Let it be a varfare in which religion and science shall stand together as alles, not against each other as enemies. Let the fight be for truth of every kind against fashood of every kind—for justice—and the great warfare which has broughts so many sufferings, shall bring to the earth God's richest blessings. searche ; for truth, whether in Theology or Natural

CRUELTY OF A SCHOOL TEACHER. Yesterday morning James H. De Witt, aged 14, a pupil at the Public School on Twenty-seventh-st. near Third-ave, excited the ire of the teacher, Lawrence Buckey, who made a furious attack upon the boy, seizing him by the hair and striking him in the eye with his fist then throw him on the floor and kicked him in the face several times. The screams of the child attracted the attention of the police, who arrested the feather and sook him before Justice Ledwith at Jefferson Markel Po-lice Court. The boy's face presented a herrible spec-

tacle, so ghastly-looking and bloody was it. The prisoner seemed to be cool and unconcerned in court, and asserted that the boy, who is small and weak-looking, had made an assault upon him, and remarked that he thought a teacher had a perfect right to defend himself—a right which the Justice thought he had exercised. Mr. Buckey falled to find bail, and was committed for trial at General Sossions.

THE CITY CANVASS.

MEETING OF THE COMMITTEE ON PROTESTS. The Committee on Protests met at 11 o'clock a. m., pursuant to adjournment yesterday, and were in session almost all day, Alderman Farley in the chair.

The protest of Florence Scannell against canvassing the votes for John Nesbit in the Fourteenth Aldermanic District was first considered. Mr. A.R. Lawrence, who appeared for Mr. Nesbit, said he would like to know who were the witnesses in this case—whether they were canvassers or outsiders; there were no discrepancies in the
returns as filed with the Alderman of that district, and
the Clerk of the Common Conneil; the Board of City Canvassers, nor this Committee, had no right to go behind
the returns as received by the proper officers; they were
simply compelled to discharge their duties as committees
of the Board of Aldermen. It had not been asserted that
there were any derical errors in these returns, and he
protested against the Committee or the Board of Canvassers entering into any investigation that would partake of a judicial character, and in this connection he desired to present the following protest from John Neshit:
To the Committee on Proteste of the Board of City Canvasers: The
mederiganet hereby protests against the ealing of witnesses and the reception of eridence to contradict the returns of the votes cast for the
effice of Alderman of the Fourteent Alderman District, or in any of
the Election Districts of the Eighteenth Ward, of which said Aldermanic Bistrict is comprised, on the following grounds:

First: That there is no discrepancy between the returns presented by
the District Canvasers to the present Alderman of said District and
those on file with the Clerk of the Committee on Protests nor the said Board of
City Canvasers have any power to go behind the said returns of the
District Canvasers.

Tared: That there are prover to go behind the said returns of the were the witnesses in this case-whether they were can-

Carassers

Tenth: The undersigned therefore asks that the protests of Florence Scannell may be dismissed, and that the certificate of election as Alderman of the Fourteenth Aldermanic District may be awaried to the undersigned, who is legally entitled to the asme.

After the protest had been tend, Mr. Lawrence passed the paper to the Chairman, and asked that the consideration of Scannell's protest be discontinued.

Mr. John McKeon appeared for Mr. Scannell, and said all he wanted was a true statement of the votes cast for Mr. Scannell. [Applause by the lobby, which was immediately suppressed.] He was prepared to present this statement to the Committee of the votes cast for Scannell and Neshi in the district. The counsel for Mr. Neshit had said this Committee had no authority to hear witnesses, but he (Mr. McKeon) claimed that it had, and in support of his views cited various cases; he was prepared to show that certain matters had been omitted, and that he could demonstrate to the Committee that the returns would be correctly given. Mr. McKeon then read from the returns made on the night of the election, and said those returns all agree except the Fitteenth and Sixteenth Districts, and he was prepared to show that the returns in the hands of this Board were not the returns made on election night.

Mr. E. Smith was then examined: Was a poll-clerk in

handwriting; this is not the return as sent to the Clerk of the Common Connell. Witness made out one return, and that gave Nesbit 106 votes, and Scannell 20. Mr. Seully, another poll-clerk, also testified that Nesbit's vote was 106, and Scannell's 20.

Mr. McKeon then said he had other witnesses to swear to the same state of facts, which proved that a gross fraud had been perpetrated; that the papers signed by the canvassers on the night of election were not the papers now before this Committee.

Mr. Angell testified he was a poil clerk in the Sixteenth District of the Eighteenth Ward, which gave Scannell 113 votes and Nesbit 74; witness made out two of the returns; the returns as sent to the Common Council were not made out by him. Other witnesses corroborated this testimony.

turns; the returns as sent to the Common Couracted this testimony.

Mr. McKeon contended that if these returns had been altered the election was a farce, and if Scannell got 113 votes, how could it be possible that these votes could be transferred to Nesbit These returns were forgeries, and are not a statement of the actual canvass. He had understood that a man had gone into the Eleventh District, and had taken a bunch of tickets and stuffed the ballottons with them, and he had in his possession 145 affidavits to show that men had voted for Scannell in districts where the returns gave him only 135 votes, and he wished to say that the returns now in the hands of this Committee were not the returns as made on the night of election.

Mr. Lawrence maintained the returns were correct, and that beyond any question Mr. Nesbit was fairly elected, as the returns bear upon their face a genuine appearance, and he wished the Board would award his client his scat in this Board, and that the protest be now dismissed.

Mr. Farley said that in view of the fact that the opinion had been expressed as to the power of this Committee to administer oaths, the case would be referred to the Corporation Counsel for his opinion. After some evidence had been given, mainly in repetition of the above, Mr.

dismissed.

Mr. Farley said that in view of the fact that the opinion had been expressed as to the power of this Committee to administer oaths, the case would be referred to the Corporation Counsel for his opinion. After some evidence had been given, mainly in repetition of the above, Mr. Farley said the counsel might hand in their evidence to the clerk, and they might consider the case closed, and the Board of Canvassers would render an early report.

One or two minor cases of profests were called, and, no person appearing, they were dismissed.

The profest of Nicholas Seger against canvassing the votes for J. W. Guentzer of the Tenth Aldermanie District was next considered. Eugene Durnin and Senator Creamer appeared for Mr. Seger. Evidence was introduced to show that the returns of the Twenty-ninth Election District of this Ward had been changed from Seger to Guentzer, thus electing the latter by eight votes, but through whose agency this alteration had been made the Board of Canvassers will have to decide.

The case of Henry Murray agt. James E. Coulter was next reached, and after receiving some testimeny to the effect that the poil clerks of the First District of the Twenty-second Ward testified that the returns as shown them were correct, Mr. Fariey declared the case closed.

EM. Francis V. Euring entered a protest against the action of the Committee in dismissing a protest received by the Board on Thursday, to the effect of contesting the election of John Scott for Police Justice of the Fourth District, upon the ground that he did not know that the Committee would hold a meeting. This last protest was ordered to be laid upon the table. The Committee then adjourned, and the Board of Canvassers met, and after making a few corrections in the returns, and swearing in Alderman John Crocker, adjourned.

THE DRAWRACK FRAUDS

WHIMSTER ARRESTED AND HELD FOR TRIAL. For some time past, negotiations have been going on, by means of a friend of William H. Whimster, between the latter and the U. S. District-Attorney's office, looking to the surrender of Whimster to answer the charge of complicity in the first series of draw-back frauds.

As the result of these negotiations, Commissioner

back frauds.

As the result of these negotiations, Commissioner Shields and Assistant District Attorney Furdy entered a carriage at the U.S. Court Buildings yesterday, and drove to the residence of Dr. King, No. 2 Grove-st., where Whimster was lying sick. In reaching Whimster, the officials had to pass several persons who were on the watch to prevent any efficers from arresting Whimster, by giving him information of their approach.

Whimster stated that he had not been out of the city since the first effort was made to arrest him. He had been hunted by Deputy-Marshals from place to place, but he had always evaded them. It is alleged that it would be impossible to convict any one of the persons charged with the frauds without his evidence. Howard and Green, he says, originated the frauds, and he (Whimster) knew all about them from their inception, and could give important evidence. R. B. Caldwell, it is charged, was an accomplished imitator of signatures, and could so closely limitate his (Whimster's) signature that he shanged his style of writing it. Many of the papers purporting to be signed by him (Whimster) were forgeries, his name having been signed by Caldwell. Whimster, who is under indetment, gave \$25,000 ball to appear for trial. His object in taking the course he did was to prevent an arrest and upplie, exposure before a commissioner. in taking the course he did was to prevent an arrest and public exposure before a commissioner in open court. Mr. Rebert Boyd became his bondsman.

BOARD OF ASSISTANT ALDERMEN.

EXTRA SERVICES-ZACHARY TAYLOR'S PORTRAIT -NO. 514 PEARL-ST. The Board of Assistant Aldermen met at 2 p.

m., yesterday, and directed the Controller to draw his m., resterday, and directed the Controller to draw his warrant in favor of Thomas J. Nealis, for \$1,500, for extra services in 1865, '66, '67, '68, and '69, in the Bureau of City Revenue, in the Finance Department; also, to lease the second floor of "National Hall." at the corner of Fourthave, and One-hundred and-twenty-ninth-st., for the use of the Ninth (new) Police District Court, for not less than ten years, at a rent not to exceed \$7,500 a year; ordered the Croton Department to make a contract to lay the Stafford Pavement in Seventh-ave, from Fourteenth to Fifty-minth-st., at a cost not exceeding \$6.50 per square yard; and the Controller to make a new lease of No. 514 Pearl-st., first floor excepted, for additional accommodations for the Second District Civil Court, for ten years, at a rent not to exceed \$7,500 a year; directed the Committee on Arts and Sciences to purchase the full-length portrait of Gen. Zachary Taylor, now in the possession of a private individual, and to have it suitably framed and placed in the Governor's Room, and appropriated \$3,000 for the purpose; voted to the Dominican Church, on Lexington-ave., \$3,500 to pay assessments; to Orlando P. Smith and Dennis Donohue each \$2,000 for extra services in 1863, '64, '65, and '66, in paying laborers, &c., in the City Inspector's Department; to St. Bernard's Church \$799 45, to Duy taxes for 1863 and '69; that Twentieth-st., between Avenue A and the East River, be paved with Belgian pavement; that Fifth-ave., from Fifty-minth to Ninctieth-st., be Department in 1864, '65, and '66, and that Fifteenth-st., from First-ave, to the East River, be paved with Belgian pavement; in the City in the City Inspector's Department in 1864, '65, and '66, and that Fifteenth-st., from First-ave, to the East River, be paved with Belgian pavement; to the East River, be paved with Belgian pavement. warrant in favor of Thomas J. Nealis, for \$1,500, for extra

THE COURTS.

MCFARLAND INDICTED_TRIAL OF POLICEMENT FOR ROBBERY. In the Court of General Sessions, yesterday, Recorder Hackett presiding, Daniel McFarland was formally indicted by the Grand Jury.

The case of Policemen Remsen and Hannigan was opened by the District-Attorney. Mr. Wells, the person said to have been robbed, testified the person said to have been robbed, testined to meeting the prisoners, Remsen and Hannigao, and also to their accompanying him along Forty-second-st to near Sixth-ave., at which place he felt Remsen's hand in his pecket, and missed his pecket-book, containing \$430. Thinking it a joke, he asked to have it restored, and was threatened with the lock-up. Remsen then fled, and Hannigan held him for some time. The fellowing season were reviewed disposed of Rertha. The following cases were previously disposed of: Bertha Stout pleaded guilty to a charge of grand larceny, and was sent to the State Prison for 21 years. Thomas Coloman, charged with grand larceny, was discharged. Kath Burke, found gully of petty larceny, was sent to the State Prison for 3 years.

SUPREME COURT-SPECIAL TERM.

Before Cardozo, J .- The Church-st. Extension -Who Own the Demolished Buildings .- A. Gordon Ham mersley et al. agt. The Mayor, de.; Catharine A. Schuchards agt. The Mayor, &c.; Wm. P. Douglass agt. The Mayor, &c.; Adrian Iselin agt. The Mayor, de.-These actions are identical in purpose, and grow out of the proceedings for the opening and extension of Church-si. The plaintiffs in each suit were owners of buildings taken within the

the opening and extension of Church-st. The plaintiffs in each suit were owners of buildings taken within the line of the improvement, and the Commissioners made them awards under the statute for the premises taken, and the report was duly confirmed. It was stated in the report that any building taken under the statute "on said piece or parcel of land would be required to be removed therefrom." The plaintiffs in this complaint claim that there was no allowance made to them for these buildings, and that under the provisions of the report they were authorized to remove them. About a year after the report was confirmed the corporation authorities sold these buildings and materials, and these actions are now brought by the parties to whom the land originally belonged to recover the value of the buildings. The amount involved in these and similar suits is several hundred thousand dollars.

The Counsel for the Corporation demurred to the complaints as not containing facts to constitute a cause of action, and the suits came up in Court on the argument of these demurrers.

For the corporation, it was argued that under the provisions of the 178th section of the act of 1813, under which the opening was had, the report of the Commissioners when made was final and conclusive apon all parties, and that on the confirmation of the report the starnte declared that the Mayor, Aldermen, and Commonalty should "become and be seized of all the said lands, tonements, hereditaments, and premises in the said report mentioned:" that the Commissioners if the report would bear the construction contended for had no power or authority to insert in it a provision which would allow the owners of the land to remove the buildings; that their powers were limited by the statute; that if a sufficient allowance had not been made to the owners for the Commissioners and that they not be provided to the content of the Commissioners and that they are report of the Commissioners and that they are report of the Commissioners and that they not the provid

Commissioners endeavored to establish a new rule had been to permit the buildings to be removed or their value taken by the owner, and that quite recently the City, through its law officers, had insisted on the rule as understood by the plaintiffs in these actions.

Judge Cardozo held that the law was imperative that the Commissioners should award for the whole premises, and the parties, being bound to know the law, were estopped by their not objecting to the report from these claims. He, therefore, sustained the demarrer, giving judgment for defendants. James H. Hammersley for plaintiffs; A. J. Vanderpeel for defendants.

Before Mr. Justice Cardozo.—The Allen lunary case—In re. Caroline C. Allen.—This is the matter already noticed, in which Mrs. Allen, whose relations had succeeded in having her declared a lunatic, applied to vacate this declaration. Testimony was taken before Mr. Justica was now brought up on this testimony before Mr. Justica Cardozo, for a motion to punish the attorneys on the other side for a contempt of Court for seeking to stop the course of proceedings before Judge Cardozo, by obtaining stays of proceedings before Judge Cardozo, by obtaining stays of proceedings from Judges Smith and White, and for a superseders to the Commission of Lunacy. Mr. Shea read Mr. Jarvis 'sreport, which shows that the attorneys for the respondents after the opening of the reference, and reports that Mrs. Allen has been since May last of sound mind, and that her committee be required to account for property. Some of the testimony taken before Mr. Jarvis was read. Dr. Paine, who has made a specialty of diseases of the mind, testifies to having seen her thrite a day since March last, and discovered nothing to show a diseased mind.

Dr. Haguey, who had given special attention to this class of cases, had also seen her more than once a day at

ored nothing to show a diseased mind.

Dr. Haguey, who had given special attention to this class of cases, had also seen her more than once a day at all hours for the special purpose of examining her mental condition, and found nothing indicating insanity; this was since May last; he had made special examination, owing to his information that she had been declared insane.

Dwight, and that after serving it, supposing there would be no proceeding, and had therefore left the reference. That he had no notice of the vacating of Judge Dwight's order till some days later.

Mr. Shea called Mr. Stephens to testify that he did

have notice.

Mr. Justice Cardezo said it made no difference, it was

Mr. Justice Cardozo said it made no difference, it was merely taking testumony pending a motion for the information of the Court: it Mr. Pritchard had not chosen to attend after notice it was his fault.

Mr. Strong proceeded to argue that Mr. Pritchard was not in contempt in applying for and obtaining from Judge Dwight a stay of proceedings.

Mr. Justice Cardozo said that the matter of the contempt was as simple as this—if any Attorney, while a motion was being argued before him, should step into the next room and obtain a stay of proceeding, he should not hesitate to lock him up. Mr. Pritchard's act was of the same character. While a motion was in hearing he, desiring to have the aid of Mr. Jarvis's opinion, had asked it merely to avoid taking the testimony in open court. Such a thing was a contempt he was not inclined in pass by.

it merely to avoid taking the testimony in open court. Such a thing was a contempt he was not inclined to pass by.

Mr. Strong proceeded to argue that there was nothing in the stay of proceedings granted by Judge Dwight; did not violate the order of Judge Cardozo. The order of Judge Dwight is to Mrs. Alien to show cause at Rochester why all the proceedings before the Referce should not be stayed till the determination of his appeal from Mr. Justice Cardozo's order appeinting Mr. Jarvis referce and staying proceedings in the mean time.

Judge Strong argued that the purport of Judge Cardozo's order related to the person and property of Mrs. Alien, which were not affected by Judge Dwight's order.

Mr. Justice Cardozo said the question was not of violation of an order. The Referce in this case was merely the locum tenens of the Court; the service of a stay of proceedings on him was itself a contempt. The case was submitted to the Court; the Court desired further information, and employed another person to obtain it; to attempt to stay the Court was the contempt.

Mr. Strong contended at some length that this was not the same thing as interrupting the Court listed with a stay; but if it were it was the Judge who granted, not the attorney who applied for the cuter.

The case was here postponed to Tuesday next at 2 p. m. Mr. Shen and Mr. Stephen D. Stephens for motion; Mr. Strong and Mr. Pritchard, opposed.

Before Mr. Justice Cardozo.—The New York and Harlem Railroad track, and for damages for doing so. The testimony was closed, but the summing up was adjourned for the hearing of the Allen case. Mr. E. Rapailo for piain-tiff; Mr. Allen for defendante.

SUPREME COURT-CHAMBERS.

SUPREME COURT—CHAMBERS.

Before Mr. Justice Ingraham.—Troubles of an Insolvent Insurance Company.—Mooney agt. The British Commercial Assurance Company.—This Company, absorbed in the European Life Assurance Company, absorbed in the European Life Assurance Company, absorbed in the European Life Assurance Company, failed with it. One of the American policy holders commenced a suit for the funds, under our New-York law, in the hands of our State Insurance Department, and in that suit a receiver was appointed against the protest of the Superintendent of the Insurance Department, that he was already by law the receiver of the funds.

Lately an arrangement has been had for a reassurance of the policies and the settlement of the suit. Meanwhile, though an appeal had been duly taken, the effect of which was to stay his proceedings, the Receiver had bargained with the Centinental Life Insurance Company to take all the unexpired policies at the valuation.

The case came up under the stipulation to discontinue the suits before Judge Ingraham. Mr. Rapalio presented a petition on behalf of the several policy-holder that the reassurance be with another company. Mr. Booth, for the plaintiff, objected, on behalf also of the Receiver. The counsel for the Continental Company said Mr. Rapallo's petition presented charges against the credit of their Company, which they desired to meet. Mr. Rapallo said the charges were merely the statement of the Insurance Department.

Judge Ingraham suggested that each policy-beller.

said the charges were merely the statement of the Insurance Department.

Judge Ingraham suggested that each policy-holder should choose his own company. Mr. Rapalic explained that these policies being rather the refuse of the policies, the best having drawn out, no company would be willing to take some unless it got all. For this very reason the company that took them should be a very strong company. His suggestion was that it should be left to a majority of the stockholders to decide for all.

The Superintendeut wished all the order but the name of the Company to be settled at once, to avoid bringing him from Albany again. Mr. Booth explained that his reasons for opposing were that he thought the Receiver and Continental Company should be heard, as they had rights.

rights.

After half an hour's discussion, Judge Ingraham decided that, though the Continental Company had acquired no rights whatever in the matter, still, as he was only filling Judge Barnard's place temporarily, he would turn the whole matter over to him, and adjourn the motion to Tuesday next.

UNITED STATES COMMISSIONERS' OFFICE. The Check Forgeries.—The examination in the case of Conrad Fatzee, ar., and Conrad Fatzee, jr., the lithographers at No. 11e William st., who are charged before Commissioner Bette with counterfeiting and forging United States stagged checks, has been nost-